

DOCKET NO: 248255US2RE

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
JUNICHI HAGIHARA, ET AL. : EXAMINER: TANG, M.
SERIAL NO: 10/772,174 :
FILED: FEBRUARY 5, 2004 : GROUP ART UNIT: 2829
FOR: CONTACTOR AND PRODUCTION :
METHOD FOR CONTACTOR

REQUEST FOR RECONSIDERATION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants request the reconsideration of the Examiner Communication issued on August 5, 2009. According to that Communication, the Amendment filed on May 22, 2009 failed to list or identify Claims 1-25. It is respectfully requested that this objection be withdrawn.

Applicants assume that the basis for the aforementioned objection is that 37 C.F.R. 1.121(c) requires that an amendment must include a listing of all claims ever presented. However, 37 C.F.R. 1.121 does not apply to resissue patent applications.

Instead, 37 C.F.R. 1.173 applies to resissue patent applications. The Examiner's attention is respectfully directed to 37 C.F.R. 1.173(b)(2) which only requires submission of the text of the claims being amended or added, but does not require that the amendment include a listing of all claims ever presented. Thus, the listing of unamended Claims 1-21 or cancelled Claims 22-25 is not required. Rather, 37 C.F.R. 1.173(c) indicates that the status of

Application No. 10/772,174
Reply to Office Action of November 10, 2005

all claims be indicated on a separate page from the amended claims. This was done at page 5
of the amendment.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Robert T. Pous
Registration No. 29,099